

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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BILLYBEY MARINA SERVICES, LLC,

Plaintiff,

v.

Bouchard Transportation Co., Inc.,  
Motor Tug Ellen S. Bouchard, Inc.,  
Tug Jane A. Bouchard Corp.,  
Tug Evening Star Corp.,  
B. No 252 Corp.,  
B. No. 230 Corporation,  
B. No. 284 Corp.,  
B. No. 210 Corporation,  
B. No. 262 Corp.,  
B. No. 250 Corp.,  
B. No. 260 Corporation and  
B. No 282 Corp., *in personam*, and,  
M/V ELLEN S. BOUCHARD, IMO No. 8117952,  
Official No. 644590, her engines, equipment, tackle,  
etc., M/V JANE A. BOUCHARD, IMO No. 9269702  
Official No. 1139762, her engines, equipment,  
tackle, etc., M/V EVENING STAR, IMO No.  
9629768, Official No. 1234828, her engines,  
equipment, tackle, etc.,  
BARGE B. No. 252, BARGE B. No. 230,  
BARGE B. No. 284, BARGE B. No. 210,  
BARGE B. No. 262, BARGE B. No. 250,  
BARGE B. No. 260 and BARGE B. No. 282, *in rem*,

Defendants.

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McAllister Towing of Connecticut, LLC  
McAllister Towing of New York, LLC  
McAllister Towing of Philadelphia, Inc.  
McAllister Towing of Baltimore, Inc.  
Portland Tugboat LLC  
McAllister Towing of Narragansett Bay, LLC  
d/b/a Providence Steamboat Company  
Tugz Company, LLC

Intervening Plaintiffs,

X

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: Case No. 20-cv-04922 LTS-JLC

: **IN ADMIRALTY**

: **Hon. Laura Taylor Swain**

: **STIPULATION OF  
DISMISSAL WITH**

: **PREJUDICE, CONSENT  
TO RELEASE OF VESSELS  
AND CONSENT ORDER**

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v. :

Bouchard Transportation Co., Inc., :

Defendant in personam, :

M/T EVENING STAR, IMO No. 9629768, :  
BARGE B. No. 210, BARGE B. No. 230, BARGE B. :  
No. 250, BARGE B. No. 252, BARGE B. No. 260, :  
BARGE B. No. 262, BARGE B. No. 282, BARGE B. :  
No. 284, , in rem, their respective equipment, tackle, :  
etc., et al., :

Defendants in rem. :

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**WHEREAS**, Plaintiff, Billybey Marina Services, LLC and the Defendants,  
Bouchard Transportation, et al. (the “Parties”) have entered into a Settlement Agreement  
and Mutual Release dated November 24, 2020 (“Settlement Agreement”), and,

**WHEREAS**, pursuant to the Settlement Agreement, the undersigned counsel for  
the Plaintiff, Billybey Marina Services, LLC hereby consents to the release of Plaintiff’s  
arrest of the following vessels:

M/V ELLEN S. BOUCHARD

BARGE B. No. 252

BARGE B. No. 230

BARGE B. No. 284

BARGE B. No. 210

BARGE B. No. 262

BARGE B. No. 260

BARGE B. No. 282

**NOW, THEREFORE**, it is hereby,

**ORDERED**, that the Parties shall comply with the terms of the Settlement which is filed at Docket Entry No. 130 and incorporated herein by reference; Agreement; and, it is further,

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**ORDERED**, that the Court shall retain jurisdiction over this action and the Parties for the purpose of enforcing the terms of the Settlement Agreement; and it is further,

**ORDERED**, that the Complaint of Billybey Marina Services, LLC against the Defendants is hereby dismissed with prejudice and without costs as to either party against the other.

Dated: New York, New York  
November 24, 2020

SO ORDERED THIS

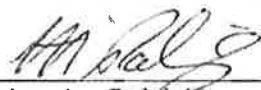
30 day of November, 2020

/s/ Laura Taylor Swain  
Hon. Laura Taylor Swain, USDJ

The undersigned attorneys consent to the entry of the foregoing Order:

COZEN O'CONNOR, P.C.  
A Pennsylvania Professional Corporation

By:

  
\_\_\_\_\_  
Christopher Raleigh  
Geoffrey D. Ferrer  
Attorneys for Plaintiff,  
Billybey Marina Services, LLC  
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CHALOS & CO., P.C.

By:



Briton P. Sparkman

George M. Chalos

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